

**OFFICIAL PROCEEDINGS  
OF  
THE CHARTER TOWNSHIP OF ALPENA-BOARD OF TRUSTEES  
April 25, 2022 – 6:00 p.m.  
REGULAR MINUTES**

The Charter Township of Alpena Board of Trustees met in Regular session on Monday, April 25, 2022 at 6:00 p.m. at the Charter Township of Alpena Offices, 4385 US 23 North, Alpena, MI 49707.

Present: Supervisor Nathan Skibbe  
Clerk Michele Palevich  
Trustee Cash Kroll  
Trustee Russ Rhynard  
Trustee Norm Poli  
Trustee Steve Lappan  
Treasurer Laura Ellery-Somers

Absent: None

Others present: Attorney Tim Gulden

Supervisor Nathan Skibbe called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

**ROLL CALL**

Roll call was taken; the following board members were present: Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard and Supervisor Nathan Skibbe. Absent: None.

**AGENDA**

Moved by Trustee Russ Rhynard and supported by Trustee Steve Lappan to approve the agenda as presented with the addition of New Business 3. Fire Department Committee. Voice Vote. Motion carried by unanimous voice vote.

**PUBLIC COMMENT**

None.

**PAYMENT OF BILLS**

Moved by Trustee Cash Kroll and supported by Supervisor Nathan Skibbe to approve the payment of bills as presented. Roll call vote was taken. AYES: Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

**MINUTES**  
**April 12, 2022 (Regular)**

Moved by Trustee Norm Poli and supported by Trustee Cash Kroll to approve the meeting minutes as presented. Voice Vote. Motion carried by unanimous voice vote.

**CORRESPONDENCE**

Correspondence included: Alpena County Road Commission Minutes – March 1, 2022, Alpena County Road Commission Road Report 02-21-22 to 03-27-22, Alpena County Planning Commission Letter – Ordinance No. 150 and State of Michigan – Farmland and Open Space Preservation Program. Moved by Treasurer Laura Ellery-Somers and supported by Clerk Michele Palevich to receive and file correspondence. Voice Vote. Motion carried by unanimous voice vote.

**PROPOSED ORDINANCE NO. 150 AMENDMENT #1**  
**(ZONING ORDINANCE AMENDMENT REGARDING MEDICAL AND ADULT USE**  
**MARIHUANA USES)**

Moved by Trustee Russ Rhynard and supported by Treasurer Laura Ellery-Somers to amend proposed Ordinance No. 150 section B. Standards, subsection 12. Separation Distances to add places of worship to the list of establishments that a marihuana facility cannot be within 750 feet. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll and Supervisor Nathan Skibbe. NAYES: Trustee Steve Lappan. Absent: None. Motion carried.

**PROPOSED ORDINANCE NO. 150 AMENDMENT #2**  
**(ZONING ORDINANCE AMENDMENT REGARDING MEDICAL AND ADULT USE**  
**MARIHUANA USES)**

Moved by Trustee Russ Rhynard and supported by Trustee Norm Poli to amend proposed Ordinance No. 150 to remove marihuana microbusinesses as a permitted use. Roll call vote was taken. AYES: Trustee Norm Poli, Treasurer Laura Ellery-Somers, Trustee Cash Kroll and Trustee Russ Rhynard. NAYES: Clerk Michele Palevich, Trustee Steve Lappan and Supervisor Nathan Skibbe. Absent: None. Motion carried.

**ADOPTION OF ORDINANCE NO. 150**  
**(ZONING ORDINANCE AMENDMENT REGARDING MEDICAL AND ADULT USE**  
**MARIHUANA USES)**

The Township Board was presented with Ordinance No. 150 to amend the Charter Township of Alpena Zoning Ordinance Section 201 (Definitions), Section 416 (Full Table of Permitted & Special Land Uses), Section 404 (Forest Recreation District), Section 405 (Agricultural District), Section 411 (B-1: Restricted Business District), Section 412 (B-2: General Business District), Section 413 (B-3: Community Business District), Section 414 (M-1: Light Manufacturing District), Section 415 (M-2: Mixed Manufacturing District), and Article 7 (Supplemental Regulations) to allow Medical Marihuana Facilities and Adult Use Marihuana Establishments. Moved by Trustee Norm Poli and supported by Supervisor Nathan Skibbe to approve Ordinance No. 150 (Zoning Ordinance Amendment Regarding Medical and Adult Use Marihuana Uses) as amended. Roll call vote was taken. AYES: Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Norm Poli and Supervisor Nathan Skibbe. NAYES: Trustee Cash Kroll and Trustee Russ Rhynard. Absent: None. Motion carried.

**PROPOSED ORDINANCE NO. 151 AMENDMENT  
(REGULATORY ORDINANCE REGARDING MEDICAL AND ADULT USE MARIHUANA  
USES)**

Moved by Trustee Russ Rhynard and supported by Trustee Cash Kroll to amend proposed Ordinance No. 151 to remove marihuana microbusinesses as a permitted use. Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli and Supervisor Nathan Skibbe. NAYES: Clerk Michele Palevich and Trustee Steve Lappan. Absent: None. Motion carried.

**ADOPTION OF ORDINANCE NO. 151  
(REGULATORY ORDINANCE REGARDING MEDICAL AND ADULT USE MARIHUANA  
USES)**

The Township Board was presented with Ordinance No. 151 to establish a uniformed licensing and regulatory process for medical and adult-use marihuana businesses to the extent permissible under the provisions of the Michigan Medical Marihuana Act (MCL333.26421 et seq.), the Michigan Marihuana Facilities Licensing Act (MCL333.27101 et seq.), the Marihuana Tracking Act (MCL 333.27901 et seq.), and the Michigan Regulation and Taxation of Marihuana Act (MCL 333.27951 et seq.), so as to protect the public health, safety, and welfare of the residents and patients of the Township by setting forth the manner in which medical marihuana facilities and adult-use marihuana establishments may be established, licensed, and regulated in the Township; to provide penalties for violations of this ordinance; to provide for severability; to provide an effective date; and to partially repeal Charter Township of Alpena Ordinance No. 136 (The Prohibition of Marihuana Establishments Ordinance). Moved by Trustee Steve Lappan and supported by Clerk Michele Palevich to approve Ordinance No. 151 (Medical Marihuana Facilities and Adult-Use Marihuana Establishments Licensing Ordinance) as amended. Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

**2018 MCCOY MILLER AMBULANCE**

Moved by Trustee Steve Lappan and supported by Trustee Russ Rhynard to use the 2018 McCoy Miller Ambulance as a secondary emergency vehicle only, behind the 2005 Chevy Trail Blazer. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers and Supervisor Nathan Skibbe. NAYES: Trustee Cash Kroll. Absent: None. Motion carried.

**BUDGET ADJUSTMENTS**

The Township Board was presented with budget adjustments prepared by Clerk Michele Palevich and Supervisor Nathan Skibbe. Moved by Trustee Steve Lappan and supported by Trustee Russ Rhynard to approve the budget adjustments as presented. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers Trustee Cash Kroll and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

**FIRE DEPARTMENT – BEAVERS AUTOMOTIVE & RADIATOR REPAIR INC.**

Supervisor Nathan Skibbe informed the Township Board that Chief Mark Hansen identified the need for an emergency repair of the 2003 Ford Ambulance. Moved by Clerk Michele Palevich and supported by Treasurer Laura Ellery-Somers to approve payment of \$673.94 to be paid from GL #205-336-938.000, Vehicle Maintenance, to Beavers Automotive and Radiator Repair, Inc. Roll call vote was taken. AYES: Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

**FIRE DEPARTMENT COMMITTEE**

Trustee Norm Poli advised the Township Board that he was stepping down as a member of the Fire Department Committee. Moved by Clerk Michele Palevich and supported by Treasurer Laura Ellery-Somers to replace Trustee Norm Poli with Trustee Cash Kroll as the new member of the Fire Department Committee. Voice Vote. Motion carried by unanimous voice vote.

**CLOSED SESSION**

Attorney/Client Privilege – Pending Tax Tribunal Litigation Discussion

Moved by Treasurer Laura Ellery-Somers and supported by Clerk Michele Palevich that the Township Board enter into closed session for attorney/client privilege for the purpose of discussing pending tax tribunal litigation. Roll call vote was taken. AYES: Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

**The Board entered closed session at 6:40 p.m.**

**The Board left closed session at 6:50 p.m.**

**TAX TRIBUNAL CASE – RITE AID**

Moved by Clerk Michele Palevich and supported by Trustee Steve Lappan to authorize settling the tax tribunal case of Rite Aid vs. the Charter Township of Alpena by reducing the 2021 assessed and taxable value of their property to the sum of \$387,500.00 for assessed and taxable value with the company agreeing not to dispute the 2022 values set by the Township. Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

**PUBLIC COMMENT**

Mike Szymanski commented on marihuana and the Fire Department millage.

Mark Collins commented on the agenda and marihuana.

**DISCUSSION**

Trustee Russ Rhynard discussed the agenda and Fire Department Millage.

Trustee Norm Poli discussed a separate fund for the marihuana revenue.

**ADJOURNMENT**

Moved by Trustee Russ Rhynard and supported by Treasurer Laura Ellery-Somers to adjourn. Voice Vote. Motion carried unanimously. Meeting adjourned at 7:07 p.m.

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Clerk Michele P. Palevich

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Supervisor Nathan Skibbe